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S/N 09/980,364

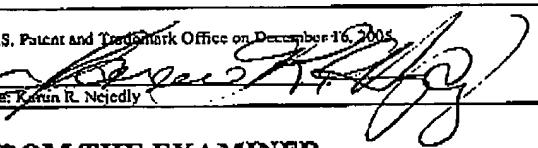
DEC 16 2005

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	BOUTILER et al.	Examiner:	Stuart F. Baum
Serial No.:	09/980,364	Group Art Unit:	1638
Filed:	April 8, 2002	Docket No.:	14119.0001US01
Title:	USE OF BNM3 TRANSCRIPTIONAL ACTIVATOR TO CONTROL PLANT EMBRYOGENESIS AND REGENERATION PROCESSES		

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**CERTIFICATE UNDER 37 CFR 1.6(d):**  
I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on December 16, 2005.

By:   
Name: Karen R. Nejedly

NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-4, 6, 7, 10-17, 19-27, 38-53, 59 and 60 of the above-identified application, as set forth in the Office Action mailed June 16, 2005.

Please charge Deposit Account No. 13-2725 in the amount of \$500.00 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 41.20(b)(1).

Also enclosed is a Petition for three-month extension of time to respond to the final rejection, thereby extending said period of response from September 16, 2005 to December 16, 2005. Please charge Deposit Account No. 13-2725 in the amount of \$1,020.00 to cover the required extension fee for large entity.

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FROM-Merchant & Gould

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Please charge any additional fees or credit any overpayment to Merchant & Gould P.C.,  
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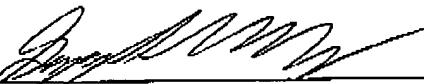


Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: 12/16/05

By:

  
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Gregory A. Sebald  
Reg. No. 33,280  
GAS/km